

REMARKS

Continued prosecution and consideration of the claimed subject matter in the above-identified patent application is respectfully requested.

Claims 9-29 were cancelled previously. Claims 1-8 are in the case and before the Examiner. Claim 1 has been amended.

A. The Amendment

Claim 1 has been amended to provide agreement between the introductory phrase and concluding phrase. It is apparent that no new matter has been added.

B. The Action1. Rejection Under 35 USC §112, First Paragraph

All of the claims have been rejected under 35 USC xx 112, first paragraph as allegedly not being enabled. More specifically, the Action asserts that the statement concerning an extraoral device being similarly prepared for use in reshaping cranial bones etc. is an inadequate disclosure to enable a worker of ordinary skill in this art to make and use the claimed invention. This basis for rejection cannot be agreed with and is respectfully traversed.

It is respectfully submitted that the intraoral device that is described on pages 14-16 and whose use has been illustrated is the difficult device to make and use. Once a skilled worker has understood that device, it is submitted that there is more than enough information for such a worker to make and use the extraoral device. A declaration by the inventor to this effect can be provided if it is desired. As such, it is submitted that this basis for rejection should be withdrawn.

BEST AVAILABLE COPY

2. Rejection Under 35 USC §112, Second Paragraph

All of the claims were similarly rejected under the Second Paragraph of Section 112 as allegedly being indefinite in that is said that the statements "in a direction lateral to the sutures" and "amount of osteogenesis" were unclear. It was also asserted that it was unclear how applying cyclical forces to the cranial sutures of claim 7 was further limiting. As discussed below, these bases for rejection cannot be agreed with and this rejection is respectfully traversed.

Looking first to claim 7, it is submitter that the independent claim does not recite at which places the cyclical forces are applied. Claim 7 recites that place, and is therefore believed to be more limiting. It is thus believed that this basis for rejection should be withdrawn.

The alleged lack of clarity concerning "in a direction lateral to the sutures" is not understood. As is well known in this art, cranial sutures are lines of joining of the different bones of the skull. All skulls have them. Counsel's Webster's New Collegiate Dictionary of 1981 defines "lateral" as "[o]f or relating to the side; situated on, directed toward, or coming from the side; ..." (Copy enclosed as Exhibit I.) It is submitted that the objected to, quoted phrase means in a direction "sideways" to the sutures and is very clear. As a result, this basis for rejection should be withdrawn.

The alleged lack of clarity of the phrase "amount of osteogenesis" is also not understood. Osteogenesis is a word that is well known and understood in this art to mean bone growth. The undersigned did a Google search for that word and found 120,000 "hits" requiring 0.35 seconds of search time. Claim 1 has also been amended to provide agreement between the

introductory and concluding phrases of the claim. It is submitted that this basis for rejection should be withdrawn.

B. Summary

Each basis for rejection has been dealt with and overcome or otherwise made moot. It is therefore believed that this application is in condition for allowance of all of the claims. An early notice to that effect is earnestly solicited.

No further fee or petition is believed to be necessary. However, should any further fee be needed, please charge our Deposit Account No. 23-0920, and deem this paper to be the required petition.

The Examiner is requested to phone the undersigned should any questions arise that can be dealt with over the phone to expedite this prosecution.

Respectfully submitted,

By 
Edward P. Gamson Reg. No. 29,381

Enclosure: Exhibit I

WELSH & KATZ, LTD.
120 South Riverside Plaza, 22nd Floor
Chicago, Illinois 60606
Phone (312) 655-1500
Fax No. (312) 655-1501

4A
3



WEBSTER'S
New
Collegiate
Dictionary

Exhibit I

Copyright © 1981 by G. & C. Merriam Co.

Philippines Copyright 1981 by G. & C. Merriam Co.

Library of Congress Cataloging in Publication Data
Main entry under title:

Webster's new collegiate dictionary.

Editions for 1898-1948 have title: Webster's collegiate dictionary.
Includes index.

1. English language—Dictionaries.

PE1628.W4M4 1981 423 80-25144

ISBN 0-87779-408-1

ISBN 0-87779-409-x (indexed)

ISBN 0-87779-410-3 (deluxe)

Webster's New Collegiate Dictionary principal copyright 1973

COLLEGIATE trademark Reg. U.S. Pat. Off.

All rights reserved. No part of this work covered by the copyrights hereon may be reproduced or copied in any form or by any means—graphic, electronic, or mechanical, including photocopying, recording, taping, or information storage and retrieval systems—without written permission of the publisher.

Made in the United States of America

504948 RMcN8281

latitude 2a: hemisphere marked with parallels of latitude

**This Page is Inserted by IFW Indexing and Scanning
Operations and is not part of the Official Record**

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images include but are not limited to the items checked:

- ☐ BLACK BORDERS
- ☒ IMAGE CUT OFF AT TOP, BOTTOM OR SIDES
- ☐ FADED TEXT OR DRAWING
- ☐ BLURRED OR ILLEGIBLE TEXT OR DRAWING
- ☐ SKEWED/SLANTED IMAGES
- ☐ COLOR OR BLACK AND WHITE PHOTOGRAPHS
- ☐ GRAY SCALE DOCUMENTS
- ☒ LINES OR MARKS ON ORIGINAL DOCUMENT
- ☐ REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY
- ☐ OTHER: _____

IMAGES ARE BEST AVAILABLE COPY.

As rescanning these documents will not correct the image problems checked, please do not report these problems to the IFW Image Problem Mailbox.